

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES

February 21, 2019

A meeting of the Kentucky Board of Respiratory Care was held on Thursday, February 21, 2019 at Keeneland Meeting Room, Lexington Residence Inn, 3110 Wall St. Lexington, KY 40513

MEMBERS PRESENT

Thomas Baxter, RRT, Chair
William Garrison, RRT, Vice Chair
Darrell Heckman, Citizen at Large
James McCormick, MD
Timothy Roark, RRT

KBRC STAFF

Tamara G McDaniel, Executive Director
Rick L. Rose, Administrative Assistant

LEGAL COUNSEL

David C. Trimble

Vice Chair Baxter called the meeting to order at 5:31pm.

Swearing In of New Members

Ms. McDaniel performed the swearing in of new Board member Mr. Darrell Heckman.

Election of Officers

A motion was made by Dr. McCormick, seconded by Mr. Roark to nominate Thomas Baxter as Chairman of the Board. Motion passed unanimously.

A motion was made by Dr. McCormick, seconded by Mr. Roark to nominate William Garrison as Vice – Chairman of the Board. Motion passed unanimously.

Minutes

A motion was made by Mr. Garrison, seconded by Dr. McCormick to accept the meeting minutes of December 13, 2018. Motion carried unanimously. Mr. Heckman abstained from the vote.

Financial Statement

Ms. McDaniel presented the financial reports for December 2018 and January 2019 along with the year-to-date budget report. Mr. Roark made a motion to accept the financials; seconded by Mr. Garrison. Motion carried unanimously.

Ms. McDaniel presented a report of future finances to the Board in regards to the increase in retirement percentage to 83.43%. The chair moved to table the discussion until the next meeting on April 18, 2019.

Staff Report

Ms. McDaniel and Mr. Rose gave an update on activities since the last meeting.

Old Business

Mr. Trimble reported to the Board on HB 178, a reorganization bill that has been introduced in this legislative session.

Closed Session

Mr. Garrison made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. Dr. McCormick seconded the motion. The motion carried unanimously.

Mr. Garrison made a motion to come out of closed session; seconded by Dr. McCormick. Motion carried unanimously.

Agreed Orders – Compliant Cases

Aubrey Bryant

KYRPN reported Aubrey Bryant is compliant. No action on the case.

Wendall Embry

KYRPN reported Wendall Embry is compliant. No action on the case.

Shannon Gerlach

KYRPN reported Shannon Gerlach is compliant. No action on the case.

Eric Harmon

KYRPN completed his Agreed Order 02/01/2019

Shannon Keys

Ms. Keys Agreed Order and monitoring ended on 12/18/2019

Cheryl Pasquariello

Ms. McDaniel reported that Cheryl Pasquariello was compliant with her 2019 renewal.

Timothy Sitterding

Ms. McDaniel reported that Timothy Sitterding is compliant with his Agreed Order.

Sara Sparks

KYRPN reported Sara Sparks is compliant. No action on the case

KYPRN Non-Compliant Cases

Samantha Adkins – KYPRN reports that Ms. Adkins has a positive drug screen for a medication that she has an expired prescription for. A motion was made by Mr. Garrison, seconded by Dr. McCormick, to have Ms. McDaniel send Ms. Adkins a letter stating that she must comply with her KYPRN agreement

Active Complaint Cases

1. Amanda Shackelford #7395 – Ms. Shackelford requests to withdraw her reinstatement request at this time. A motion was made by Mr. Garrison, seconded by Dr. McCormick, to have Ms. McDaniel send a letter to Amanda Shackelford accepting her request.

2. Jason Rigby #5553 – Agreed Order signed on 01/31/2019.
3. Leeann Bray #5477 – Declaration of misdemeanor - A motion was made by Mr. Garrison, seconded by Dr. McCormick, to send a letter of admonishment to Ms. Bray. Motion carried unanimously.
4. Richard Ehlman #0255 – Declaration of misdemeanor on renewal application - A motion was made by Mr. Garrison, seconded by Dr. McCormick, to send a letter of admonishment to Mr. Ehlman. Motion carried unanimously.
5. Wendy Wright #2354 – Anonymous complaint - A motion was made by Mr. Garrison, seconded by Dr. McCormick, to dismiss the complaint without prejudice. Motion carried unanimously. Mr. Roark recused from discussion and vote.
6. Amber Pridemore #6174 – Complaint by Whitesburg ARH hospital – A motion was made by Mr. Garrison, seconded by Dr. McCormick, to continue case to the next meeting on April 18, 2019 in order to gather more information. Motion carried unanimously.
7. Debbie Muehlenbein #7248 – Complaint by S. Pettinichi, Norton Children's Hospital – A motion was made by Mr. Garrison, seconded by Dr. McCormick, that Ms. Muehlenbein be offered an Agreed Order under the following terms: Suspension of Mandatory Certificate #7248 for one year, completion of an anger management therapy class at a location to be named by the Board. That the suspension may be probated after 6 months as long as she completes the anger management course. That during her suspension/probation, she may not provide respiratory care for any patient under the age of sixteen. That she pay a fine of \$1000.00. Motion carried unanimously.

New Business

1. Scope of practice question from Carolyn Walker, Kindred Healthcare of Louisville. Ms. Walker is inquiring if it is within the Respiratory Therapist (RT) scope of practice to insert PICC and Mid Line catheters. After a discussion, the Board decided that yes, it is within the RT scope as long as there is policies and procedures approved by the medical staff and signed by the Medical Director of the facility. There also must be documented training and documented continuing competency by the people performing the procedure.

2. Application Review - Ms. McDaniel reported that there were 40 Mandatory applications and 15 Limited Mandatory (student) applicants with no declarations of felonies and 0 KHEAA deficiency. A motion was made by Mr. Roark, seconded by Mr. Garrison, to accept all (55) applications. Motion carried unanimously.

The following **Student applications (15)** were approved: Ciara Belcher, Breanna Gibbs, Melissa Griffin, Martin Grubb, Summer Hale, Samantha Marnell, Jessica Meeks, Matthew O'Neal, Tony Sauer, Erykah Scott, Arienne Stephens, Erin Sullivan, Annie York, Sarah Debhekoff, and Joshua Essig.

The following **Mandatory applications (40)** were approved: Richard Brown Jr., Sandra Comer, Melvina Davis, John Gobbert, April Gochberg, Noah Haley, Bradley Hern, Josee Knecht, Autumn Lindler, Laura McQuigg, Jeanna Ashby, Samantha Bessler William Brown, Katlyn Adkins,

Andrea Bower, Tiffany Calhoun, Lindsay Copher, Taylor Cook, Elizabeth D'Ottavio, Kayla Dunivan, Ashley Farler, Jennifer Flatley, Amanda Florence, Christina Strunk, Charles McGuire, Summer Goodan, Caitlyn Green, Katie Hunter, James Maynard, Hannah McFarland, Edwin Miller, Tressa Miller, Shelby Taylor, Kamm Thompson, Emilie Trusty, Courtney Walters Makenzie Wilson, Danyelle Watkins, Brandi Ford and Tain Gillespi.

3. Requesting CEU exceptions:

Christopher Hovecamp #0295 - A motion was made by Mr. Roark, seconded by Dr. McCormick, that Mr. Hovecamp be offered and Agreed Order stating that in order to comply with the 2019 renewal, he complete 3 ceus and pay a fine of \$125. Motion carried unanimously.

Melinda Hudson #6512 - A motion was made by Mr. Garrison, seconded by Mr. Heckman, that Ms. Hudson be offered and Agreed Order stating that in order to comply with the 2019 renewal, she complete double the amount (16) of deficient ceus and pay a fine of \$125. Motion carried unanimously.

4. Marlena Newman #6194 – Declaration of KHEAA arrearage on 2019 renewal. – No action taken.

5. Requesting Reinstatement:

Wendall Embry #7448 - A motion was made by Mr. Heckman, seconded by Mr. Roark, to reinstate Mr. Embry's license to Active status. Mr. Embry will remain under the current Agreed Order.

Brandi Conaway Reed # 7448 - A motion was made by Mr. Roark, seconded by Dr. McCormick, That Ms. Reed be offered and Agreed Order that reinstates her Active status under the following conditions: That she complete 24 ceus and pay a \$500 fine. Motion carried unanimously.

6. Application Review:

William Nichols – Application for Mandatory Certificate shows disciplinary action from the Indiana Board of Respiratory Care. A motion was made by Mr. Roark, seconded by Mr. Garrison, that Mr. Nichols application be accepted under the following conditions: That he sign an Agreed Order with 6 months of monitoring through KYPRN. Motion carried unanimously.

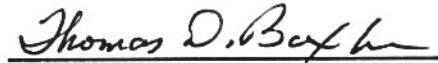
7. A motion was made by Mr. Roark, seconded by Dr. McCormick, that the fines for non- audit and audit ceu deficiencies be set at the following: Non-Audit ceu deficiency is a \$125 and double the amount of deficient ceus and the Audit ceu deficiency is a \$250 fine and double the amount of deficient ceus.

8. Board staff salaries:

A motion was made by Mr. Roark, seconded by Mr. Heckman that the salary of Rick L. Rose be raised by 4% effective March 16, 2019 and that the salary of Tamara G. McDaniel be raised by 4% effective March 16, 2019. Motion carried unanimously.

Announcements

1. Ms. McDaniel reported that the next meeting will be Thursday, April 18, 2019 at 5:30 p.m., EST at the Keeneland Meeting Room, Lexington Residence Inn, 3110 Wall St. Lexington, KY 40513
2. Approval of Per-diem, Compensation, Travel and Honoraria - A motion was made by Dr. McCormack seconded by Mr. Roark, to approve the payment of per diem, compensation, travel at 40 cents per mile, and honoraria for board members. Motion carried unanimously.
3. Mr. Roark made a motion to adjourn the meeting, seconded by Mr. Garrison. Motion carried unanimously. Meeting adjourned at 9:40 p.m.



Thomas D. Baxter, Chair
KY Board of Respiratory Care